

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ODDS ON RECORDING STUDIOS, INC., a)
Nevada corporation,)

Plaintiff,)

vs.)

BCD MUSIC GROUP, INC., a Texas)
corporation; DEEP DISTRIBUTION)
WORLDWIDE, INC., a Texas corporation;)
HARALD BLAKESLEEE, an individual;)
SUSHILA BLAKESLEE aka SUSHILA)
MITRA, an individual; DOES I through X; and)
ROE CORPORATIONS I through X, inclusive,)

Defendants.)

Case No.: 2:10-cv-01754-RLH-GWF

ORDER

(Motion for Relief from Order-#27)

Before the Court is Plaintiff Odds on Recording Studios **Motion for Relief from Order** (#27, filed June 14, 2011). The Court has also considered Defendants BCD Music Group, Inc., Deep Distribution Worldwide, Inc., Harald Blakeslee, and Sushila Blakeslee's Opposition (#28, filed July 1, 2011).

On March 22, 2011, the Court granted Defendants motion to dismiss this case both for lack of personal jurisdiction over the Defendants and, alternatively, for failure to state a claim.

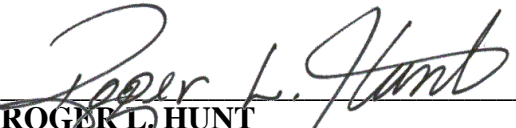
1 Five weeks later, Defendants submitted a bill of costs and an amended bill of costs on the same
 2 day. (Dkt. ## 23, 24). The first bill of costs requested \$720.00, the amended one added a request
 3 for legal research costs and ballooned to \$12,061.30. Plaintiffs did not object to this bill of costs
 4 and, therefore, the Clerk of Court taxed the costs approximately one month later. (Dkt. #25).

5 The Court withdraws the order taxing costs for two reasons. First, a bill of costs
 6 must be filed with the Court within fourteen days of the entry of judgment. Local Rule 54-1.
 7 Thus, Defendants' bill of costs was filed approximately three weeks too late. Second, the law
 8 does not permit for legal research costs to be taxed. 28 U.S.C. § 1920; *Alexander Mfg., Inc.*
 9 *Employy Stock Ownership and Trust v. Ill. Union Ins. Co.*, 688 F. Supp 2d 1170, 1176-70 (D. Or.
 10 2010). Thus, these costs should never have been taxed against Plaintiff (and Defendants counsel
 11 should never have requested them). Accordingly, the Court withdraws the order taxing costs
 12 under Federal Rules of Civil Procedure 59(e) and 60(b) and its inherent authority to modify its
 13 own orders.

14 CONCLUSION

15 Accordingly, and for good cause appearing,
 16 IT IS HEREBY ORDERED that Plaintiff's Motion for Relief from Order (#27) is
 17 GRANTED.

18 Dated: October 7, 2011.

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 22 **ROGER L. HUNT**
 23 United States District Judge
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